REMARKS/ARGUMENTS

Prior to this Amendment, claims 1-18 were pending in the application.

Previously withdrawn claims 2 and 4 are cancelled with this Amendment.

Independent claim 3 is amended to clarify the subject matter of the claimed invention.

Claim 5 is amended to correct dependency.

Claims 6 and 7 are cancelled.

Dependent claims 9 and 10 are amended to clarify the subject matter of the claimed invention.

Claims 11, 13, and 18 are amended to correct dependency.

Claims 12, 14, and 15 are cancelled.

After entry of the Amendment, claims 1, 3, 5, 8-11, 13, and 16-18 remain for consideration by the Examiner.

Elections/Restrictions

A restriction requirement was applied to the originally filed claims 1-18 with claims 1, 3, and 5-18 being placed in Group I and claims 2 and 4 being placed in Group II. A provisional election was made by William Kubida on January 12, 2006 to prosecute the claims of Group I. This election is affirmed with this Amendment, and to hasten allowance of the case, claims 2 and 4 of Group II are cancelled.

Claim Objections

In the February 10, 2006 Office Action, claim 5 was objected to as depending from an unelected claim (i.e., claim 2). Claim 5 is amended so as to depend from an elected claim (i.e., claim 1).

Claim Rejections Under 35 U.S.C. §112

In the Office Action, claims 9, 11-13, 15, 16, and 18 were rejected due to lack of antecedent basis issues. The claims have been amended or cancelled to address these issues.

Also, in the Office Action, claim 15 was rejected as failing to comply with the enablement requirement as the specification was construed as not teaching "the rule-based filter rejecting a match between active and passive orders which include identical name value pairs." Claim 15 is cancelled.

Claim Rejections Under 35 U.S.C. §102

In the February 10, 2006 Office Action, claims 1, 3, 5, 6, 8-14, and 16 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Pat. No. 6,131,087 ("Luke"). This rejection is traversed based on the following remarks.

As amended, claim 1 is addressed to a method for matching orders for goods or services. The method includes a flattening step that includes deriving "a plurality of normalized dimensions corresponding to the characteristics in the active order, wherein the flattening includes mapping each of the characteristics to an axis corresponding to the characteristic and converting a value of the characteristic to a value between zero and one." Then a matching order is determined based on the normalized dimensions as compared to stored passive orders. Luke fails to teach such a flattening step that involves mapping a normalized value of a characteristic to an axis associated with that dimension and is between zero and one.

The Office Action rejected claim 7, which has been incorporated into claim 1, based on Luke. However, the Office Action indicates that Luke fails to teach normalizing values by converting each characteristic value to a value between 0 and 1. Hence, claim 1 as amended is admittedly not anticipated by Luke. Instead, the conversions of Luke taught at col. 6, lines 1-11 are said to make such normalization obvious. Applicant respectfully disagrees with this assertion.

Applicant calls for "flattening" to facilitate more ready comparison of varying characteristics, and such flattening is furthered by the normalization called for in claim 1 of converting characteristic values to values between 0 and 1. In contrast, Luke teaches at col. 6, lines 1-11 that dates are converted to Julian dates (not values from zero and one, products are converted using a linear coding system (not to values of zero to one, and geographic data is converted to linear numerical scales through the use of latitude and longitude (again, no discussion or suggestion of normalization to values of zero to one). Claim 1 requires that each characteristic be subject to the same normalization (e.g., all values converted to a value between zero and one), whereas Luke teaches that each variable is converted differently. For these reasons, claim 1 is not anticipated, and further, it is believed that the method is not obvious in light of the teaching of Luke.

Claims 5, 9-11, 13, and 16 depend from claim 1 and are believed allowable at least for the reasons provided for allowing claim 1 over Luke. Further, claim 9 as amended makes it clear that the determining of a match step involves comparing the axes for a set of normalized dimensions to find an intersection "for at least one of the axes associated with the normalized dimensions." Such a matching technique is discussed in more detail in lines 1-8 on page 11 of Applicant's specification, and as claimed, this matching technique is not shown by Luke. Luke is cited at Figures 2C and 2D and col. 8, but the perfect matching and level of matching shown does not appear to show the intersection of normalized dimension axes as called for in claim 9. For this additional reason, claim 9 is not anticipated by Luke.

Claim 10 calls for a distance to be calculated between a "polarity" of a plurality of normalized dimensions for an active order and a passive order. There is no showing of such a matching technique shown in Luke. The Office Action indicates that this is taught by Luke's "near-matches" but this fails to teach determining a distance between the polarity of a group of dimensions for an active

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and a passive order. Instead, Luke teaches determining perfect and near matches in each dimension at col. 7 lines 46-60 rather than determining a polarity for a group of normalized dimensions and then determining a distance between two polarities. Hence, matching results for Luke and Applicant would differ, and Luke fails to anticipate or suggest the matching called for in claim 10. For this additional reason, claim 10 is believed allowable over the teaching of Luke.

Claim 16 calls for notifying an entity associated with the orders if the "distance calculation" meets a predefined criteria. Luke fails to teach this additional limitation. The Office Action cites Luke at col. 6, lines 16-19 for this teaching, but this citation only discusses notifying originators of matches. There is no discussion of determining the called for distances and then notifying the originators of matches that are within a calculated distance (based on polarities of sets of dimensions). For this additional reason, claim 16 is allowable over Luke.

Independent claim 3 as amended calls for a first matching of orders based on normalized dimensions and then applying a rule based filter whereby matches may be rejected based on the rule based criteria even though they otherwise provide an accurate match. Luke is cited in cols. 7 and 8 for teaching a series of rules for determining matches. However, Luke at this citation is explaining in detail the matching of each of its dimensions with a potential match. There is no discussion of performing such matching and then proceeding with a rule based filter to potentially eliminate dimension-based matches. The usefulness of this technique is described in Applicant's specification at least in the paragraph beginning at page 13, line 5. Since Luke fails to teach this two part matching technique, the method of claim 3 is not anticipated, and Applicant requests that the rejection of claim 3 based on Luke be withdrawn.

Claims 8 and 13 depend from claim 3 and are believed allowable over Luke at least for the reasons provided for allowing claim 3.

Claim Rejections Under 35 U.S.C. §103

In the Office Action, claim 7 was rejected under 35 U.S.C. §103(a) as being unpatentable over Luke. Claim 7 is cancelled.

Also, in the Office Action, claims 17 and 18 were rejected under 35 U.S.C. §103(a) as being unpatentable over Luke in view of U.S. Pat. No. 6,418,415 ("Walker"). Claims 17 and 18 depend from claim 1, and claims 17 and 18 are believed allowable over Luke for the reasons provided for claim 1. Further, Walker fails to overcome the deficiencies of Luke discussed with reference to claim 1. For these reasons, claims 17 and 18 are believed in condition for allowance.

Conclusions

In view of all of the above, Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

No fee is believed due for this submittal. However, any fee deficiency associated with this submittal may be charged to Deposit Account No. 50-1123.

Respectfully submitted,

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